

CHAPTER 8

STORMWATER DRAINAGE¹

SECTION

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8-801. General drainage. (1) Storm water drainage shall be separate from the sanitary sewer system.

(2) Surface water drainage facilities, either by pipe or open ditch, shall be approved by the city manager.

(3) All work by the city shall be confined to a dedicated drainage easement, same to conform to the lines of such water course and of such width as will be adequate.

(4) All culverts or other structures to be constructed to provide said drainage shall be approved by the city manager, city engineer or authorized agent.

(5) Drainage as provided in subsection (2) shall be provided by city personnel. All drainage culverts or structures shall be at the expense of the property owner, size of same to be determined by the city manager. Work done in said areas shall be provided in accordance with 12-103.

(6) The minimum diameter for all storm drains shall be 15 inches. (1979 Code, § 12-502, as amended by Ord. #760, Dec. 2004)

8-802. Regulations and technical guidelines. The city manager shall develop and implement written regulations and technical guidelines to

¹Ord. No. 453 purports to add chapter 7 to title 8 of the Shelbyville Municipal Code. However Ord. No. 446 added a chapter 7 to title 8, and Ord. No. 447 was added by the compiler as chapter 8, to title 8. Therefore, Ord. No. 453 was added as this chapter, chapter 9, to title 8.

(1) Control storm drainage facilities, grading, excavation, clearance, and other alteration of the land in order to limit the dangers of personal injury or property damage that may be caused by stormwater runoff;

(2) Meet the requirements of any National Pollutant Discharge Elimination System General Permit to which the City of Shelbyville is subject, and

(3) Implement the provisions of title 11, chapter 4 of this code, the flood damage prevention ordinance, or any successor ordinance for flood damage prevention, to ensure eligibility for the City of Shelbyville under the National Flood Insurance Program. Upon adoption by motion of the city council, no person shall take any action that violates these regulations. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-803. Master drainage basin plans. The city manager shall have the authority to prepare, or require to have prepared, master plans for drainage basins and such details as may be needed to carry out said master plans. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-804. Inspection of private drainage systems. Private drainage systems shall be maintained in accordance with regulations adopted pursuant to this chapter. The director of public works shall have the authority to inspect private drainage systems within City of Shelbyville, and to order such corrective actions to said private drainage systems as are necessary to maintain properly the major and minor drainage systems within City of Shelbyville. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-805. Limitation on construction. No construction or property improvement, whether by private or public action, shall be performed in such a manner as to materially increase the degree of flooding in its vicinity or in other areas whether by flow restrictions, increased runoff or by diminishing retention capacity. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-806. City engineer review of building permits. All building permit applications, unless exempted by regulations issued pursuant to this ordinance, shall be referred to the city engineer by the department of codes administration to determine whether there is a need for plans for drainage, grading, or erosion control. The city engineer shall have authority to review all building permit applications which shall be referred to him. No building permit shall be issued until required drainage, grading, or erosion control plans have been approved by the city engineer. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-807. Grading plans required. Detailed grading and drainage plans, with supporting calculations prepared by a registered engineer, shall be submitted to the city engineer for review and approval prior to the initiation of work by persons responsible for the development of any property, subject to the provisions and exemptions provided for in the regulations issued pursuant to § 8-802. Where applicable, an erosion control plan prepared by a design professional or soil scientist shall be included in order to prevent sedimentation from reducing the flow carrying capacity of the downstream drainage system. For purposes of this section, the development of any property shall include the grading, excavation, clearance or other alteration of the landscape, whether or not a building application has been filed, and whether or not subdivision of the land or construction on the land is contemplated in the near future. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-808. Flood plain regulations. Uses permitted within the flood plain shall be in accordance with regulations issued pursuant to this chapter. The regulations and controls for flood plain developments shall be applied within the areas designated on the FEMA map or on special overlays thereto. However, nothing contained herein shall prohibit the application of the regulations to lands which can be demonstrated by competent engineering survey, using the adopted profiles from which the flood protection elevation is derived, to lie within any flood plain, and conversely, or require the application of the regulations to any lands which can be demonstrated by competent engineering to lie beyond the flood plain regulations. Any lands within the areas designated as flood plains on the zoning map or special overlays thereto shall be subject to the regulations and controls pertaining to flood plains as set forth in this chapter. (as added by Ord. #453, and replaced by Ord. #760, Dec. 2004)

8-809. Alterations of flood plain land and drainage channels. No alterations of flood plain land and drainage channels may be made without the written approval of the city engineer and in accordance with regulations issued pursuant to this chapter. (as added by Ord. #760, Dec. 2004)

8-810. Development within floodways. No development will be allowed within floodways that would impair their capability to carry and discharge a 100-year flood except where it can be shown by a registered professional engineer that the effect on flood heights is fully offset by stream improvements. (as added by Ord. #760, Dec. 2004)

8-811. Degree of flood protection. The degree of flood protection intended to be provided by this chapter and regulations issued pursuant thereto is considered reasonable for regulatory purposes, and is based on engineering and scientific methods of study. Larger floods may occur on occasions, or the flood height may be increased by man-made or natural causes, such as bridge

openings restricted by debris. This chapter does not imply that areas outside flood plain zoning district boundaries or land uses permitted within such district will always be totally free from flooding or flood damages. Nor shall this chapter create a liability on the part of or a cause of action against the City of Shelbyville or any officer or employee; thereof, for any flood damages that may result from implementation of this chapter. (as added by Ord. #760, Dec. 2004)

8-812. Penalties and injunctive relief. Any violations of this chapter or the regulations issue pursuant thereto shall be punishable by a fine for each and every violation. Every day that said violation continues shall be a separate offense. In addition to all other remedies provided by law, the City of Shelbyville shall have the right to injunctive relief for any violation of this chapter or regulations issued pursuant thereto. (as added by Ord. #760, Dec. 2004)